

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CURTIS LEE ERVIN,

Petitioner,

v.

ROBERT L. AYERS JR., Acting Warden,

Respondent.

No. C 00-1228 CW

DEATH PENALTY CASE

ORDER LIFTING STAY
OF PROCEEDINGS

The above captioned Federal capital habeas action has been stayed pending exhaustion of proceedings in State court. Petitioner has notified this Court that the State court proceedings have been completed.

Accordingly, and good cause appearing therefor:

- (1) The stay of the present action is hereby lifted.
- (2) Petitioner may file an amended petition, incorporating his newly-exhausted claims within thirty days of this order.
- (3) Within thirty days of the filing of an amended petition, Respondent shall file an amended answer or a notice of intent to proceed under the answer as filed. Respondent need not

1 refile its exhibits.

2 (4) If Respondent chooses to file an amended answer, Petitioner
3 may file a traverse within thirty days of such filing.

4 (5) The parties shall meet and confer and shall file a joint case-
5 management schedule within thirty days of this order.

6 (6) Pursuant to General Order 45, the present action is hereby
7 designated for Electronic Case Filing.

8 (7) A copy of all documents submitted to the Court shall be
9 provided to G^{eo} O. Kolombatovich, Death Penalty Staff Attorney,
10 United States District Court for the Northern District of
11 California, g_o_kolombatovich@cand.uscourts.gov, 450 Golden
12 Gate Avenue, Box 36060, San Francisco, CA 94102-3489, (415)
13 522-2718 (tel.), (415) 522-4754 (fax).

14
15 IT IS SO ORDERED.

16
17 12/8/06

18 Dated: _____



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ERVIN,

Plaintiff,

v.

WOODFORD,

Defendant.

Case Number: CV00-01228 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 8, 2006, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

California Appellate Project
Federal Court Docketing
101 Second Street, Suite 600
San Francisco, CA 94105

Habeas Corpus Resource Center
50 Fremont Street, Suite 1800
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San Francisco, CA 94102-7004

Pamala Sayasane
660 4th Street, #341
San Francisco, CA 94107

Robert R. Bryan
2088 Union Street
San Francisco, CA 94123-4117

Dated: December 8, 2006

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk